

Sr.No.207IN THE HIGH COURT OF PUNJAB AND HARYANA

AT CHANDIGARH 2023:PHHC:157731

CRM-M-47601-2023(O&M)

Date of decision:08.12.2023

Gurpreet Kaur

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: Hon'ble Ms. Justice Harpreet Kaur Jeewan

Present: Mr. Chandandeep Singh, Advocate, for the petitioner.
Mr. Harpreet Singh, Addl. A.G., Punjab

Harpreet Kaur Jeewan, J.(Oral)

1. The present petition has been filed under Section 438 Cr.P.C. for grant of anticipatory bail to the petitioner (s) in case FIR No. 08 dated 11.02.2023 registered at Women Police Station, Bathinda, under Sections 406, 498-A of the India Penal Code, 1860.

2. Learned counsel for the petitioner *inter alia* contends that petitioner has joined the investigation and she would remain bound by the conditions laid down by the co-ordinate Bench vide Order dated 21.09.2023.

3. State has filed the status report by way of affidavit of Gurdeep Singh, PPS, Deputy Superintendent of Police, (CAW) Bathinda wherein this fact has been confirmed that the petitioner has joined the investigation on 13.11.2023. However, it was alleged that she has not co-operated and the amount which was allegedly received was not recovered. Prayer for dismissal of the application was made by the State counsel on the ground that there are specific allegations of demand of dowry by the petitioner. The husband had cheated the complainant as he left for Canada after 18 days of marriage. The petitioner was part of the conspiracy.

3. The present case was registered on the allegations that the

marriage of the complainant was solemnized with the non-petitioner Navjot Singh who is settled in Canada and residing in Surrey at present. In the year 2017, the alliance was fixed through Kulwant Singh and it was also settled that expenses for sending Navjot Singh to Canada shall be borne by the parents of the complainant. Gurcharan Singh, Grand father of the complainant sold his agricultural land in December, 2017 and handed over a sum of Rs.15 lakhs to the family of Navjot Singh. After receiving the status of permanent residency in July, 2023, Navjot Singh performed marriage with the complainant but later on, left the complainant in lurch as he went to Canada after 18 days of marriage.

4 The facts of the case were noted in the previous order while granting interim bail to the petitioner. This fact was taken note of that sister-in-law and father-in-law of the complainant haven granted similar protection undersection 438 of the Code. The petitioner is mother-in-law of the complainant and there are similar allegations as against the non applicants who have already been granted the protection of pre arrest bail. The petitioner has permanent residence and she has given undertaking to abide by the conditions laid down in the previous order.

Considering the fact that the petitioner is 50 years old female, there are no specific allegations of handing over money to her and even there are no allegations of allurement against her, as such in view of these circumstances and the reasons recorded in the order dated 21.09.2023, the present petition is allowed. Interim order dated 21.09.2023 is made absolute subject to the conditions laid down therein.

8th December, 2023
Shivani Kaushik

[HARPREET KAUR JEEWAN]
JUDGE

Whether speaking/reasoned	Yes/No
Whether Reportable	Yes/No